

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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MALIBU MEDIA, LLC, :  
Plaintiff, : Civil Action No. 2012-2078  
vs. : Consolidated from Cases:  
JOHN DOES 1, 6, 13, 14, and 16, : 2:12-cv-02078-MMB  
Defendants. : 2:12-cv-02084-MMB  
: 5:12-cv-02088-MMB  
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**PLAINTIFF'S PROPOSED INITIAL VOIR DIRE QUESTIONS**

Ladies and Gentlemen:

It is our purpose here today to select from among you a group of individuals to serve as jurors in a civil dispute involving the Plaintiff and my client, Malibu Media, LLC, and Defendants. I am about to ask you a series of questions that are designed to assist the Court and the attorneys representing the parties involved in the dispute in determining whether there is any reason why you should not sit as a juror in this particular dispute. The questions that you will be asked are not intended to offend you in any way, and are not being asked simply out of anyone's personal curiosity. Instead, the questions are intended to see if there is anything in your background that might affect your ability to fairly weigh the evidence to be presented without any bias for or against any of the parties.

Please listen carefully to each of the questions as we go through them. If any of you has a question or a problem during the process please raise your hand.

1. A typical court day will begin at 9:00 a.m. and end at 4:30 p.m. with two breaks. This way you will have the afternoon free to carry on with your lives. This trial is expected to

take 3-5 days to complete. Please raise your hand if you would find it difficult or impossible to participate for this period of time.

2. Please raise your hand if you have a physical disability, such as a hearing or vision problem, that would impede your ability to see, hear or understand the evidence.

3. Please raise your hand if you have a difficulty in understanding the English language.

Next I would like to provide you with the names of the parties and witnesses in this case. Please pay careful attention because in a few minutes I will ask whether any of you have met any of these people before, or have had any dealings or other connections with any of them. [Read list of parties and witnesses:]

4. Please raise your hand if you heard of, or been acquainted with, any of these parties or their attorneys, or any persons employed in the same offices as the attorneys?

5. Please raise your hand if you either know the Judge or anyone on the court's staff.

6. Please raise your hand if you have heard about this lawsuit.

7. Please raise your hand if you have a personal interest in the outcome of this case, meaning that right now you are aware that you have something to gain or lose in this case.

8. Please raise your hand if you are an author, musician, artist or filmmaker or if you have an author, musician, artist or a filmmaker in your family.

9. Please raise your hand if you know what a "copyright" is.

10. Please raise your hand if you believe that authors, musicians, artists or filmmakers should be compensated for their creative work.

11. Please raise your hand if you believe that authors, musicians, artists or filmmakers should not be compensated for their creative work.

12. Please raise your hand if you or anyone you know has ever been accused of or sued for copyright infringement.
13. Please raise your hand if you use a computer on a regular basis.
14. Please raise your hand if you do not use a computer on a regular basis.
15. Please raise your hand if you work in a computer related field.
16. Please raise your hand if you have any formal training which would give you an above average computer skill set.
17. Please raise your hand if you use the Internet on a regular basis.
18. Please raise your hand if you do not use the Internet on a regular basis.
19. Please raise your hand if you or anyone in your family has ever downloaded music, books, or movies over the Internet.
20. Please raise your hand if you or anyone in your family has used a peer-to-peer filing sharing program, like Napster, Limewire, Grokster, BitTorrent or any other similar program to download music, books or movies over the Internet.
21. Please raise your hand if you believe that all of the music, books, or movies that you can download on the Internet should be free.
22. Please raise your hand if you believe that authors of music, books or movies that you can download on the Internet have a right to charge money for the works.
23. Please raise your hand if you believe that authors of music, books or movies that you can download on the Internet do not have a right to charge money for the works.
24. Please raise your hand if you have ever been a party in a lawsuit.
25. Please raise your hand if you have ever been on a jury before.

26. Please raise your hand if you or anyone you know was sued by the Recording Industry Association of America (RIAA) or a record company for downloading or sharing music files over the Internet?

27. Please raise your hand if you or anyone you know has been sued by a company for downloading or sharing movie files over the Internet?

28. Please raise your hand if you have read any press reports, websites or blogs about people being sued for downloading or sharing movie files over the Internet.

Certain of the evidence in this trial concerns movies that contain pornographic, erotic, or adult material, and you may be called upon to view this material if necessary during the course of the trial.

29. Please raise your hand if you have any personal, moral, religious or any other reason which would prevent you from viewing pornographic, adult or erotic material.

Pornography, "erotic" and "adult" works are protected by the Copyright Laws of the United States of America.

30. Please raise your hand if you have any personal, moral, religious or any other beliefs which would make you unable to render a verdict against a person who infringed a copyright which covers a pornographic, erotic or adult movie.

31. Please raise your hand if you would evaluate the evidence which proves or disproves that an infringement occurred without any bias or prejudice to the Plaintiff because it makes adult movies.

32. Please raise your hand if you would be biased or prejudiced against Plaintiff because it makes adult movies.

NOTE: IT IS PLAINTIFF'S UNDERSTANDING THAT FOLLOWING THE INTIAL QUESTIONS, THE PARTIES WILL BE PERMITTED TO ASK FOLLOW UP QUESTIONS OF CERTAIN JURORS. PLAINTIFF INTENDS TO ASK FOLLOW UP QUESTIONS.

Dated: June 4, 2013.

Respectfully submitted,

LIPSCOMB, EISENBERG & BAKER, PL

By: /s/ M. Keith Lipscomb  
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#### CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ M. Keith Lipscomb